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C O N F I D E N T I A L ASUNCION 000748

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TAGS: [PGOV](#) [PREL](#) [PA](#)
SUBJECT: ALL EYES ON OVIEDO

REF: ASUNCION 739

Classified By: Pol/econ Chief Joan Shaker; reasons 1.4 (b) and (d).

¶1. (SBU) SUMMARY: The Supreme Military Tribunal unanimously decided September 6 to release General Lino Oviedo from jail on conditional liberty for his attempted 1996 coup (ref). Despite Oviedo's attorneys' contention that he enjoys full legal rights, many analysts agree he is not legally entitled to run for political office. General Oviedo and hundreds of cheering supporters traveled September 6 to Caacupe via motorcade to thank Paraguay's patron saint for his release. Once there, Oviedo gave a fifty-minute speech to the assembled crowd of 5,000, confirming he would "fight without concession" to be Paraguay's next president. National Coalition representatives said they would not alter their Fernando Lugo-Liberal Party ticket in light of Oviedo's release, but Oviedo's party UNACE is urging them to reconsider. Oviedo's emotionally-charged liberation caused a small media circus here which is likely to continue in coming weeks. END SUMMARY.

OVIEDO'S LEGAL STATUS

¶2. (SBU) The Supreme Military Tribunal unanimously decided September 6 to release General Lino Oviedo from jail on conditional liberty for his attempted 1996 coup (ref). The tribunal, comprised of three military colonels, determined that Oviedo had served half of his 10-year sentence, counting the time he served from June to December 2001 in Brazil. The tribunal explained that on conditional liberty (the Paraguayan equivalent of parole), Oviedo may move freely within Paraguay, but cannot leave the country or keep company with "persons of ill repute" without risking revocation of his parole. (NOTE: Legal scholars disagree about what "persons of ill repute" means, but it seems Oviedo has a fairly long leash in terms of his possible political contacts. END NOTE).

¶3. (SBU) Despite Oviedo's attorneys' contention that he enjoys full legal rights, many analysts agree he is not legally entitled to run for political office pursuant to Article 153 of the constitution because he has a judicial sentence pending against him. National Electoral Tribunal (TSJE) President Juan Morales said publicly that Oviedo may ask the TSJE to reinstitute his rights and noted that the charges against him would have to be dismissed before he could run for president. Several Colorado party leaders reminded the public that Oviedo cannot yet compete in elections; President Duarte publicly stated that he did not intervene with the military tribunal on Oviedo's behalf.

HIS FIRST DAY OUT AND ABOUT

¶4. (SBU) General Oviedo and hundreds of cheering supporters traveled September 6 to Caacupe via motorcade (with Oviedo in his attorney's Mercedes Benz) to thank Paraguay's patron saint for his release. The caravan, which ran red lights and caused traffic jams along the route, slowed as it approached the church so Oviedo could walk the last leg of the journey. According to press reports, Oviedo broke into a jog, forcing the crowd, including Senators Enrique Gonzalez Quintana and Jorge Oviedo Tatío and Deputy Gustavo Mussi, to keep up. The crowd squeezed into the church, where Oviedo, surrounded by armed body guards, family members and supporters, bowed to pray. (As they entered the church, the crowd, pushing to get closer to Oviedo, allegedly damaged the church. Several reporters also claimed Oviedo's bodyguards roughed them up in their attempts to protect him).

¶5. (SBU) Following his visit to the Virgin of Caacupe, Oviedo gave a fifty-minute speech (mostly in Guaraní) to the assembled crowd of 5,000, confirming that he would "fight without concession" to be Paraguay's next president. "I want the Paraguayan people to be the protagonists of their own present and future," he said, "using the past as a lesson...." He called upon his followers to return to politics "without hate, without lies." Oviedo promised to visit the country's impoverished interior to speak to the people. He also claimed he did not make any political deals to secure his release. Promising to govern following the April election, Oviedo said "he who laughs last laughs best."

Later in the day, a more somber but still-emotional Oviedo gave a television interview in which he said he spent many sleepless nights worrying about employment, security and equality of opportunity for the Paraguayan people, and his desire "to end poverty and ignorance." Oviedo stressed that "it's one thing to be in charge, another to govern."

OVIEDO'S IMPACT ON ELECTIONS?

¶6. (SBU) National Coalition (CN) representatives said they would not alter their Fernando Lugo-Liberal Party ticket in light of Oviedo's release, but Oviedo's party UNACE is urging them to reconsider. In response to questions about whether he would negotiate an alliance with the National Coalition, Oviedo steered a neutral course, stating that his highest goal is to respond to the needs of the "suffering people," not to squabble over who should lead that effort. In a television interview late September 6, Oviedo noted that the National Coalition "was not formed to follow one person but to form a program to govern the country."

COMMENT

¶7. (C) Oviedo's emotionally-charged liberation caused a small media circus here, with all eyes likely to remain on Oviedo for the coming weeks. Television and press reports showed throngs of Oviedo supporters shedding tears of joy, with Oviedo himself crying upon completion of his pilgrimage to Caacupe. Demonstrations continue to be peaceful; Oviedo followers plan a march for late September 7. Throughout the day of the 6th, Oviedo carefully stayed on his populist message, wisely leaving partisan politics to others. Clearly, however, he intends to enter the presidential race. Before he can, the courts will have to sort out his legal rights, and the political opposition (namely the National Coalition) will have to decide whether they will fare better with or without him. END COMMENT.

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